

## **KENTUCKY DEPARTMENT OF EDUCATION**

### **Proposed Guidelines for Requesting a Waiver from the Graduation Ceremonies Requirement for 2008-09**

The Pupil Attendance regulation (702 KAR 7:125) requires in Section 1 (5) that “graduation ceremonies shall be scheduled to occur following completion of the instructional term.” Due to the unusual number of instructional days missed during the 2008-2009 school year, some districts may have difficulty complying with that requirement. Districts that meet the criteria below may apply to the Commissioner of Education for a waiver from the requirement of 702 KAR 7:125 (1)(5).

The following criteria shall be fulfilled before a waiver is considered by the Commissioner:

1. Each school in the district shall have attempted to operate on a 2008-2009 calendar that was initially approved by the Kentucky Department of Education.
2. The school for which a waiver is requested must have conducted an instructional day on all available make-up days in the original KDE-approved calendar unless prohibited by weather or other emergency conditions.
3. The district must provide evidence of why there is a need for graduation ceremonies to take place prior to completion of the instructional term (e.g., inviolable facility contract) and show that a good faith effort was made to negotiate an alternate date with the vendor.

A district that meets the criteria above and believes it is experiencing an unanticipated hardship in scheduling graduation ceremonies following the completion of the instructional term for any school within the district may submit a request for waiver. The request for waiver must be approved by the local board of education and must be submitted on district letterhead addressed to the Commissioner of Education.

Districts with multiple high schools must submit separate requests for each school seeking a waiver. Each letter requesting a waiver must provide confirmation of compliance with the criteria above and must be signed by the principal, superintendent and board chair assuring that the following requirements will be fulfilled if a waiver is granted:

1. No actual diplomas will be distributed to students until after the full instructional term is completed.
2. Graduating students will continue attending classes on the same schedule as other students until the full instructional term is completed.
3. Graduating students will be held to the same attendance requirements as all other students, including any applicable sanctions for absences.
4. Acknowledgement that failure to abide by these requirements could jeopardize the district's SEEK payments for these students.

A waiver request pursuant to these guidelines shall be submitted to the Commissioner no later than April 30, 2009.